



**SECURITIES INVESTOR PROTECTION CORPORATION**  
**805 FIFTEENTH STREET, N.W., SUITE 800**  
**WASHINGTON, D.C. 20005-2215**  
**(202) 371-8300 FAX (202) 371-6728**  
**WWW.SIPC.ORG**

OFFICE OF THE GENERAL COUNSEL

March 15, 2013

Honorable Burton R. Lifland  
United States Bankruptcy Court  
Southern District of New York  
One Bowling Green  
New York, NY 10004-1408

*Re: Securities Investor Protection Corp. v. Bernard L. Madoff Investment Securities LLC,  
Adv. Pro. No. 08-01789 (BRL)*

Dear Judge Lifland:

The Securities Investor Protection Corporation (“SIPC”) submits this response in opposition to the letter dated March 8, 2013, filed by Steven Surabian, Richard Surabian, and on behalf of Martin M. Surabian (collectively, the “Surabians”). [ECF No. 5267.] In that letter, the Surabians ask this Court to strike SIPC’s Opposition to the Surabians’ Motion to File Late Objection to Expungement Motion, Motion to Vacate Expungement Order, and Motion to Subpoena Madoff [ECF No. 5244] on the basis that SIPC’s Opposition was untimely (the “Request to Strike”).

SIPC hereby joins the letter opposition filed by Irving H. Picard, as trustee for the substantively consolidated liquidation proceedings of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the estate of Bernard L. Madoff, on March 14, 2013 [ECF No. 5277]. For the reasons stated therein, SIPC respectfully requests that this Court deny the Request to Strike.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nathanael S. Kelley".

Nathanael S. Kelley  
Staff Attorney

cc: Mr. Steven Surabian  
Mr. Richard Surabian  
David J. Sheehan, Esq.  
Kevin H. Bell, Esq.